

The question being on the adoption of the minority report, it was adopted by the following vote:

YEAS—19.

Bell,	Houston of Bexar,	Perry,
Calhoun,	Houston of Wheeler,	Pope,
Douglass,	Johnson,	Shannon,
Evans,	Jones,	Stinson,
Farrar,	Kilgore,	Traylor,
Fowler,	Kleberg,	Woods.
Harrison,		

NAYS—10.

Camp,	Glasscock,	Pfeuffer,
Davis,	Hall,	Randolph,
Garrison,	Jerdone,	Terrell.
Getzendaner,		

The question being on the engrossment of the bill, it was ordered engrossed by the following vote:

YEAS—19.

Bell,	Houston of Bexar,	Perry,
Calhoun,	Houston of Wheeler,	Pope,
Douglass,	Johnson,	Shannon,
Evans,	Jones,	Stinson,
Farrar,	Kilgore,	Traylor,
Fowler,	Kleberg,	Woods.
Harrison,		

NAYS—10.

Camp,	Glasscock,	Pfeuffer,
Davis,	Hall,	Randolph,
Garrison,	Jerdone,	Terrell.
Getzendaner,		

By leave,

Senator Houston of Bexar introduced a bill entitled "An act to repeal sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 27, 28, 30, 31, 83, 198, 199 and 200, and to amend sections 2, 4, 5, 6, 29, 33, 43, 45, 70, 74, 78, 103, 120, 197, 201, 202 and 203 of an act entitled 'an act to incorporate the city of San Antonio and to grant a new charter to said city,' approved August 13, 1870; and to repeal 'an act to incorporate the city of San Antonio,' approved July 17, 1856; and 'an act to incorporate city of San Antonio,' approved February 11, 1860; also an act to amend an act entitled 'an act to incorporate the city of San Antonio, and to grant a new charter to said city,' approved April 18, 1879."

Referred to Judiciary Committee No. 1.

Senator Glasscock sent the following reasons of the undersigned Senators for voting against the adoption of the minority report, and the engrossment of Senate bill No. 79:

We vote no, because under the present law there is nothing prohibiting the employment of ladies in any of the public offices and departments. We have no objections to ladies filling any offices, when they are qualified to do so, but believe the Legislature should not undertake to dictate to officers having the appointing power of their clerks, who they should employ, as such officers are responsible to the people for the manner in which they conduct the business affairs of their offices.

GEO. W. GLASSCOCK,
W. M. JERDONE,
GEORGE PFEUFFER,
W. H. GETZENDANER.

On motion of Senator Stinson,

The Senate adjourned till 10 o'clock to-morrow morning.

FOURTEENTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, January 28, 1885. }

The Senate met pursuant to adjournment.

Lieutenant-Governor Gibbs in the chair.

Roll called.

Quorum present.

Prayer by Dr. Poindexter.

On motion of Senator Getzendaner,

The reading of the journal of yesterday was dispensed with.

REPORTS OF STANDING COMMITTEES.

By Senator Fowler:

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 12, being "An act to prescribe the times of holding district court in the several counties comprising the thirtieth judicial district of the State of Texas," and find the same correctly enrolled, and have this day, at 11:50 o'clock a. m., presented the same to the Governor for his approval.

FOWLER, Chairman.

By Senator Bell:

COMMITTEE ROOM,
AUSTIN, January 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed bills have carefully examined and compared Senate bill No. 35, being "An act to amend article 3602, chapter 15 of the general laws of Texas, passed by the called session of the Seventeenth Legislature, approved May 4, A. D. 1882, relating to the hiring of county convicts," and find the same correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.

COMMITTEE ROOM,
AUSTIN, January 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed bills have carefully examined and compared Senate bill No. 8, being "An act to amend chapter 2, article 566 of the Revised Civil Statutes," and find the same correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.

By Senator Stinson:

COMMITTEE ROOM,
AUSTIN, January 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Private Land Claims, to whom was referred Senate bill No. 55, entitled "An act for the relief of John W. McHorse," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

STINSON, Chairman.

By Senator Glasscock:

COMMITTEE ROOM,
AUSTIN, January 28, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Public Buildings and Grounds, to whom was referred Senator Jones' resolution of inquiry as to whether the Capitol Commissioners employed in the erection of the new State Capitol building can be dispensed with, and also requiring the Capitol Board and Superintendent of the Capitol building to report the difference in cost in constructing the exterior walls of the new State House out of Burnet county granite instead of limestone, would report that they have had said resolution under consideration, and are of the opinion that the best interest of the State would be subserved by retaining the Capitol Commissioners as members of the Capitol Board, with all the duties and powers now conferred on them by law. The committee therefore recommends that the Capitol Commissioners be retained.

We are informed that the Capitol Board will be able in about ten days, to report the difference in cost, if any, in building the exterior walls of the State house out of granite instead of limestone rock.

We would respectfully ask that the following resolution offered by Senator Jones be adopted;

Resolved, That the Capitol Board and Superintendent of construction be, and they are hereby requested and instructed to furnish, for the information and use of the Senate, an

estimate and statement of the difference in the cost, if any, between granite and limestone, and whether it would put the State to any additional cost to have the exterior walls of the superstructure of the new Capitol constructed of granite instead of limestone; that such estimate and statement be furnished at as early a date as practicable.

All of which is respectfully submitted.

GLASSCOCK, Chairman.

By Senator Jones:

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Penitentiaries, to whom was referred Senate bill No. 69, entitled "An act establishing a reformatory farm for the confinement, reform and utilization of convicts under the age of eighteen years," a printed bill, have carefully examined the same, and instruct me to report the accompanying bill in lieu of the printed bill, and ask that one hundred copies of the same be printed for the use of the Senate, and that the same do pass.

All of which is respectfully submitted.

JONES, Chairman.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES,
AUSTIN, January 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed to report to your honorable body the passage by the House of

Substitute House bill No. 3, "An act making appropriations for deficiencies in the appropriations heretofore made for payment of expenses in support of the government from March 1, 1884, to February 28, 1885, being for payment of claims registered in the Comptroller's Office in accordance with law, and for outstanding claims not registered, and other deficiencies."

House joint resolution No. 20, requesting our Senators and Representatives in Congress to aid in establishing a national trail for the outlet of Texas cattle.

House joint resolution No. 22, granting leave of absence to the Hon. W. E. Collard, judge of the twentieth judicial district of the State of Texas.

House concurrent resolution appointing joint committee to visit and report upon condition, operation and management of State penitentiaries.

A. D. SADLER, Chief Clerk.

Also, the appointment of the following committees:

On the part of the House, to examine into the feasibility of amending the Capitol contract so as to substitute granite for limestone: Messrs. Ramsdell, Upton, Armistead, Henderson, Davis and Pendleton of Bell.

Joint committee to visit the State penitentiaries: Messrs. McKinney of Walker, Haynes, Hendry, Kimbrough and Moore of Washington.

BILLS AND RESOLUTIONS.

By Senator Kleberg:

"An act to amend article 4036, chapter 2, title 81 of the Revised Statutes."

Referred to Judiciary Committee No. 1.

By Senator Pfeuffer:

"An act to provide for reservation, classification, disposition and working of minerals and mines in the State of Texas, and to repeal all laws and parts of laws in conflict therewith."

Referred to Committee on Public Lands.

By Senator Bell:

"An act to amend article 288 of the Code of Criminal Procedure."

Referred to Judiciary Committee No. 2.

By Senator Pope:

"An act to prohibit the use and sale of dynamite and nitro-glycerine within this State."

Referred to Committee on State Affairs.

By Senator Perry:

"An act to amend article 500, title 15, chapter 3 of the Penal Code of the State of Texas."

Referred to Judiciary Committee No. 2.

By Senator Fowler:

"An act to amend article 2438, title 44 of the Revised Civil Statutes of the State of Texas, adopted at the regular session of the Seventeenth Legislature."

Referred to Committee on State Affairs.

On motion of Senator Traylor,

Senate bill No. 112, a bill to be entitled "An act to provide for the issuance and sale of the bonds of the State, to supply deficiencies in the revenue, and to provide the mode and manner of the sale of said bonds," was taken up out of its regular order and made a special order for to-morrow after morning call, and from day to day until disposed of.

On motion of Senator Shannon,

Senate bill No. 83, entitled "An act to repeal sections 1, 2, 3, 4, 5 and 6, and to amend sections 7, 8, 9, 10 and 11 of an act entitled 'an act to further provide for the regulation of railroad and transportation lines in the State of Texas, and to provide for the creation of the office of, and appointment of, a State Engineer, and his secretary, and their salaries and duties; to prevent unjust discrimination and extortion in the rates charged for the transportation of freight and passengers in this State, and to provide a mode of procedure in relation thereto,'" was taken up out of its regular order and made the special order for Friday after morning call, and from day to day until disposed of.

On motion of Senator Pope,

Senate joint resolution No. 3, "Joint resolution amending section 1, article 6 of the Constitution of the State of Texas, was taken up out of its regular order and was made special order for Monday after morning call.

The President laid before the Senate as a special order substitute House bill No. 27, "An act to authorize the transfer of occupation licenses."

Senator Woods asked that Senate bill No. 57, "An act to amend article 714 of the Code of Criminal Procedure," be taken up, it having been the special order for Tuesday (yesterday) after morning call, following the pending special business for that hour.

Senator Shannon raised the point of order that the special order as made did not provide for action from day to day until disposed of, and that action on the bill at this time would be out of order.

The point of order was sustained.

Senator Pope offered the following amendment:

Amend section 2 by adding thereto: "And provided further, that whenever any person, firm, corporation or association of persons following an occupation shall be closed out by legal process, the occupation license shall be deemed an asset of said person, firm, corporation or association of persons and sold as other property belonging to said person, firm, corporation or association, and the purchaser thereof shall have the right to pursue the occupation named in said license or transfer it to any other person.

Adopted by the following vote:

YEAS—17.

Bell,	Harrison,	Kleberg.
Calhoun,	Houston of Bexar,	Knittle,
Camp,	Jerdone,	Pope,
Douglass,	Johnson,	Stinson,
Evans,	Jones,	Woods.
Hall,	Kilgore,	

NAYS—12.

Davis,	Glasscock,	Randolph,
Fowler,	Houston of Wheeler,	Shannon,
Garrison,	Perry,	Terrell,
Getzendaner,	Pfeuffer,	Traylor.

Senator Traylor offered the following amendment:

Amend section 2 by adding: "provided, such occupation license shall under no circumstances be transferred more than one time.

Adopted by the following vote:

YEAS—15.

Davis,	Glasscock,	Perry,
Evans,	Hall,	Pfeuffer,
Fowler,	Jones,	Shannon,
Garrison,	Kleberg,	Traylor,
Getzendaner,	Knittle,	Woods.

NAYS—13.

Bell,	Houston of Bexar,	Pope,
Calhoun,	Houston of Wheeler,	Randolph,
Camp,	Johnson,	Stinson.
Douglass,	Kilgore,	Terrell.
Harrison,		

Senator Taylor moved to reconsider the vote by which his substitute was adopted.

Carried.

The amendment by Senator Taylor was re-adopted by the following vote:

YEAS—15.

Bell,	Hall,	Knittle,
Calhoun,	Harrison,	Pfeuffer,
Evans,	Houston of Bexar,	Shannon,
Getzendaner,	Jones,	Traylor.
Glasscock,	Kleberg,	Woods.

NAYS—14.

Camp,	Houston of Wheeler,	Pope,
Davis,	Jerdone,	Randolph,
Douglass,	Johnson,	Stinson,
Fowler,	Kilgore,	Terrell.
Garrison,	Perry,	

The Senate refused to pass the bill to third reading by the following vote:

YEAS—12.

Bell,	Houston of Bexar,	Pope,
Calhoun,	Johnson,	Randolph.
Camp,	Kilgore,	Terrell,
Glasscock,	Pfeuffer,	Traylor.

NAYS—16.

Davis,	Hall,	Knittle,
Douglass,	Harrison,	Perry,
Evans,	Houston of Wheeler,	Shannon,
Fowler,	Jones,	Stinson,
Garrison,	Kleberg,	Woods.
Getzendaner,		

On motion of Senator Getzendaner,

Senate bill No. 100, "An act to repeal an act to provide annual pensions for the surviving soldiers," etc., was taken up out of its regular order and read second time.

Senator Fowler moved to commit the bill to a special committee of three to be appointed by the President.

Senator Jones offered to amend by increasing the number to five.

Accepted, and adopted by the following vote:

YEAS—20.

Bell,	Douglass,	Glasscock,
Calhoun,	Evans,	Harrison,
Camp,	Fowler,	Houston of Bexar,

Houston of Wheeler,	Knittle,	Shannon,
Johnson,	Perry,	Stinson,
Jones,	Pope,	Terrell.
Kilgore,	Randolph	

NAYS—9.

Davis,	Getzendaner,	Pfeuffer,
Farrar,	Hall,	Traylor,
Garrison,	Kleberg,	Woods.

The President appointed on the committee Senators Fowler, Davis, Woods, Jones and Pope.

Senator Harrison entered a motion to reconsider the vote by which the Senate refused to pass substitute House bill No. 27 to its third reading.

Senator Houston, of Wheeler, moved to take up the motion to reconsider and lay it on the table.

Lost by the following vote:

YEAS—10.

Davis,	Hall,	Kleberg,
Douglass,	Houston of Wheeler,	Perry,
Evans,	Jones,	Shannon,
Getzendaner,		

NAYS—19.

Bell,	Harrison,	Pope,
Calhoun,	Houston of Bexar,	Randolph.
Camp,	Johnson,	Stinson,
Farrar,	Kilgore,	Terrell,
Fowler,	Knittle,	Traylor,
Garrison,	Pfeuffer,	Woods.
Glasscock,		

The motion to reconsider was adopted by the following vote:

YEAS—17.

Bell,	Garrison,	Pope,
Calhoun,	Harrison,	Randolph,
Camp,	Houston of Bexar,	Stinson,
Davis,	Johnson,	Terrell,
Farrar,	Kilgore,	Traylor.
Fowler,	Pfeuffer,	

NAYS—12.

Douglass.	Hall,	Knittle,
Evans,	Houston of Wheeler,	Perry,
Getzendaner,	Jones,	Shannon,
Glasscock,	Kleberg,	Woods.

Senator Houston of Bexar, by leave, introduced a bill entitled "An act to amend sections 9 and 10 of an act to provide for the classification, sale and lease of the lands heretofore or hereafter surveyed and set apart for the benefit of the common school University, the Lunatic, Blind, Deaf and Dumb and Orphan Asylum lands."

Referred to Committee on Public Lands.

The following message was received from the Governor and read:

Gentlemen of the Senate and House of Representatives.

By virtue of the act approved May 2, 1882, the Governor is authorized and directed to appoint one or more commissioners to run and mark the boundary line between the State of Texas and the territory of the United States, from the northeast corner of said State to the degree of longitude one hundred west from London and twenty-three degrees west from Washington, as said line is described in the treaty between Spain and the United States, of February 22, 1819, and for payment of the expenses of such survey.

By the fourth section of that act, the sum of ten thousand dollars was appropriated to defray the expenses of such survey. This commission has never been organized for the reason that the Federal government has never passed the necessary law until now. The ten thousand dollar appropriation may be regarded as lapsed, and I recommend its renewal in order to enable the Executive to carry out the law referred to. The two houses, of course, are aware that the title of Greer

county depends upon the result of such survey, and that this is the only mode of settling the ownership of that territory.

Respectfully,

JOHN IRELAND, Governor.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, January 28, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed to inform your honorable body of the passage by the House of

House bill No. 183, a bill to be entitled "An act to amend article 75 of the Revised Civil Statutes of the State of Texas, amended by an act passed at the regular session of the Eighteenth Legislature, approved April 14, 1883."

A. D. SADLER, Chief Clerk.

On motion of Senator Houston of Bexar,
The Governor's message was referred to Committee on Finance.

Senator Woods moved to call up Senate bill No. 57, "An act to amend article 714 of the Code of Criminal Procedure," and make it a special order for to-morrow after the first special order after morning call, and from day to day until disposed of.

Adopted.

Senator Jones offered the following:

Resolved, That on and after this date the Senate hold an afternoon session.

The yeas and nays were called for.

Senator Shannon raised the point of order that the resolution affected to change the rules, and would have to lay over one day.

The point of order was sustained.

By leave, Senator Jones introduced a bill to be entitled "An act to amend article 391, chapter 12 of the Penal Code."

Referred to Judiciary Committee No. 2.

The President appointed the following committees:

To act with House committee on the matter of the Capitol contract: Senators Shannon, Glasscock, Getzendaner and Bell.

To visit the educational institutions: Senators Pfeuffer, Garrison and Harrison.

Senator Bell offered the following privileged report:

COMMITTEE ROOM,
AUSTIN, January 28, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 79, being "An act requiring the Comptroller of Public Accounts, Commissioner of the General Land Office and State Treasurer, to employ females when their services can be had to fill one-half of the clerkships in the several departments under the control of these officers," and find the same correctly engrossed.

BELL, Chairman.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, January 28, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed to report to your honorable body the passage by the House of

House bill No. 35, a bill to be entitled "An act to amend article 4531 of the Revised Statutes."

A. D. SADLER, Chief Clerk.

The President referred the following House bills:

No. 35, "An act to amend article 4531 of the Revised Statutes," to Committee on State Affairs.

No. 183, "An act to amend article 75 of the Revised Civil Statutes of the State of Texas, as amended by an act passed at the regular session of the Eighteenth Legislature, approved April 14, 1883," to Judiciary Committee No. 1.

No. 21, "An act to amend article 677 of the Penal Code," to Committee on Internal Improvements.

On motion of Senator Pope,
The Senate adjourned till 10 o'clock to-morrow morning.

FIFTEENTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, January 29, 1885. }

The Senate met pursuant to adjournment.

Lieutenant-Governor Gibbs in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Shannon,

The reading of the journal of yesterday was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Knittel:

Memorial of the citizens of Fort Bend, asking that their county be included in the game law.

Referred to Committee on State Affairs.

REPORTS OF STANDING COMMITTEES.

By Senator Davis:

COMMITTEE ROOM,
AUSTIN, January 28, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 58, entitled "An act to amend chapter 4 of title 9 of the Penal Code, by adding thereto articles 323a, 323b and 323c, so as to provide for punishing persons for selling deadly weapons to minors, and punish persons for carrying concealed weapons, and define brass-knuckles;" also, Senate bill No. 29, entitled "An act to repeal article 323, and to amend articles 318, 319, 320, 321 and 322, of title 9, chapter 4 of the Penal Code, relating to unlawfully carrying arms;" also, Senate bill No. 80, entitled "An act to repeal articles 320, 321 and 323, and to amend articles 318 and 322, title 9, chapter 4 of the Revised Code of the State of Texas," have carefully examined the same, and instruct me to report the accompanying substitute therefor, and recommend that such substitute do pass.

All of which is respectfully submitted.

DAVIS, Chairman.

COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 58, 29 AND 80.

"An act to amend articles 318, 319 and 322 of the Penal Code of the State of Texas, and to repeal articles 320, 321 and 323 of said Code."

Senator Bell submitted the following minority report on Senate bills Nos. 29, 58 and 80:

COMMITTEE ROOM,
AUSTIN, January 28, 1885.

Hon. Barnett Gibbs, President of the Senate:

Not being able to agree with the other members of your Judiciary Committee No. 2, to whom was referred Senate bills